

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

CARA FERNANDEZ, individually and on behalf )  
of all others similarly situated, )  
  )  
Plaintiff,    ) Case No. 2:16-cv-10767  
  )  
v.    ) Honorable Gershwin A. Drain  
  )  
SUBURBAN K, LLC d/b/a SUBURBAN KIA,        ) Magistrate Stephanie Dawkins Davis  
a Michigan limited liability company,          )  
  )  
Defendant.    )

**STIPULATION OF DISMISSAL**

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff Cara Fernandez (“Plaintiff”) and Defendant Suburban K, LLC d/b/a Suburban Kia, through their respective counsel, hereby stipulate and agree to dismiss the Class Action Complaint [Dkt. No. 1] (the “Complaint”) with prejudice with respect to the individual claims of Plaintiff and without prejudice with respect to the claims of the putative class described in the Complaint. Each party shall bear her and its own costs and expenses, including attorneys’ fees, and hereby waives any right to appeal the dismissal of this action.

Dated: June 10, 2016

Cara Fernandez  
By: /s/ Joseph J. Siprut  
Her attorney

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Respectfully submitted,

Suburban Ford of Sterling Heights, LLC  
By: /s/ Nicole C. Mueller  
One of its attorneys

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a Michigan limited liability company,         )  
  )  
Defendant.    )

**ORDER**

The Court having considered the parties' Stipulation Of Dismissal, **IT IS HEREBY ORDERED** that this matter is dismissed with prejudice with respect to the individual claims of Plaintiff Cara Fernandez and without prejudice with respect to the claims of the putative class described in the Class Action Complaint (Dkt. No. 1). Each party shall bear her and its own costs and expenses, including attorneys' fees, and hereby waives any right to appeal the dismissal of this action.

Dated: June 13, 2016

s/ Gershwin A. Drain  
Hon. Gershwin A. Drain  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that a true and correct copy of the foregoing **Stipulation Of Dismissal and [Proposed] Order** was filed this 13th day of June 2016 via the Court's electronic filing system, and a copy of same was served via email on all counsel of record.

*/s/ Joseph J. Siprut* \_\_\_\_\_

Joseph J. Siprut